

**Commonwealth of Kentucky
Environmental and Public Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382**

Draft

**AIR QUALITY PERMIT
Issued under 401 KAR 52:020**

Permittee Name: Crane Composites, Inc.
Mailing Address: 8015 Dixon Drive
Florence, KY 41042

Source Name: Same as above
Mailing Address: Same as above

Source Location: Same as above

Permit Number: V-05-027
Source A. I. #: 204
Activity #: APE20040001
Review Type: Title V
Source ID #: 21-015-00025

Regional Office: Florence Regional Office
8020 Veterans Memorial Drive, Suite 110
Florence, KY 41042
(859) 525 - 4923

County: Boone

**Application
Complete Date:** February 13, 2006
Issuance Date:
Revision Date:
Expiration Date:

**John S. Lyons, Director
Division for Air Quality**

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	Permit type	Log or Activity#	Complete Date	Issuance Date	Summary of Action
V-05-027	Initial Issuance	APE20040001	2/13/2006		Initial Title V Permit

SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first having submitted a complete application and received a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:020, Title V Permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

Emission Unit	Description	Pollutants Emitted	Construction Date	Pollution Control
EP 1	MO1- Mixing Room	Styrene	1993	RTO
	LO2- Narrow Line 2	Methyl Methacrylate		
	LO3- Narrow Line 3	Cumene		
	LO4- Wide Line 4	Ethyl Benzene		
		Styrene	1993	RTO
	LO2- Oven	VOC		
	LO3- Oven	NOx		
	LO4- Oven	PM10		
		SOx		
		CO		

Description:

These points are VOC emission points from the Mix Room (M01) and the three production lines (L02, L03, and L04) at Crane Composites Inc. (formerly Lasco Composite LP). All emissions are sent to a regenerative thermal oxidizer (RTO) with 95% VOC reduction efficiency.

EP 2 Polymerization Room

Description:

Waste liquid resin is placed in 55-gallon drums in the Polymerization room where it cures to a hardened solid material. All VOC and HAP emissions are captured and controlled by an Activated Carbon Unit with control efficiency of 99%.

Construction commenced: November 1993

APPLICABLE REGULATIONS:

For EP1 only:

401 KAR 61:060, Existing sources using organic solvents

For EP1 And EP2:

40 CFR Part 63, Subpart WWWW, National Emissions Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production, applicable to existing plastic composites production facilities located at a major source of HAP emissions for which construction commenced before August 2, 2001. For an Existing Major Source the Compliance Date is April 21, 2006.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (Continued)

1. Operating Limitations: (Subpart WWWW Requirements: Effective April 21, 2006)
TABLE 4 TO SUBPART WWWW OF PART 63—WORK PRACTICE STANDARDS
 As required in § 63.5805 (a), 63.5835(a), 63.5900(a)(4), 63.5910(c)(5), and 63.5915(d), the appropriate work practice standards must be met.

For . . .	Requirement
1. A new or existing cleaning operation	Not use cleaning solvents that contain HAP, except that styrene may be used as a cleaner in closed systems, and organic HAP containing cleaners may be used to clean cured resin from application equipment. Application equipment includes any equipment that directly contacts resin.
2. A new or existing materials HAP-containing materials storage operation (For EP 2, Polymerization Room)	Keep containers that store HAP-containing materials closed or covered except during the addition or removal of materials. Bulk HAP-containing materials storage tanks may be vented as necessary for safety. Initial Compliance Demonstration: The permittee shall submit a certified statement in the notice of compliance status that all HAP containing storage containers are kept closed or covered except when adding or removing materials, and that any bulk storage tanks are vented only as necessary for safety.

2. Emission Limitations:

For EP1 only:

- a) VOC emissions from the above points for the Reinforced Composites Production must be reduced by 95% in accordance with 40 CFR Part 63, Subpart WWWW section § 63.5805 (a)(1) organic HAP emissions limitations.
- b) Compliance with (a) is deemed compliance for 401 KAR 61:060, Existing sources using organic solvents.

Compliance Demonstration Method:

- 1) Crane Composites Inc. must demonstrate initial compliance in paragraph a (1) of § 63.5805 in accordance with § 63.5860 (a) and (b).
- 2) Pursuant to 401 KAR 50:055, Section 2(5), the permittee shall operate the thermal oxidizer at all times when printing is being performed.
- 3) The permittee shall install, calibrate, maintain and operate in accordance with manufacturer's specifications a temperature-monitoring device in the firebox of the thermal oxidizer or in the duct immediately downstream of the firebox before any substantial heat exchange occurs. The temperature-monitoring device shall be equipped with a continuous recording device.
- 4) The temperature-monitoring device shall have an accuracy of the greater of 0.75 percent of the temperature measurement expressed in degrees Celsius or $\pm 2.5^{\circ}\text{C}$.
- 5) Before using the sensor for the first time or when relocating or replacing the sensor,

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (Continued)

perform a validation check by comparing the sensor output to a calibrated temperature measurement device or by comparing the sensor output to a simulated temperature.

- 6) The permittee will use the "Compliant line option" of section § 63.5820 to demonstrate that each continuous lamination line complies with the standard in §63.5805(a)(1). Use the calculation procedures in §63.5865 through 63.5890.
- 7) The permittee must demonstrate continuous compliance with standard in §63.5805 (a)(1) according to the methods specified in paragraph (a)(1) of section § 63.5900.
- 8) The permittee must demonstrate compliance with § 63.5835 (b), (c) and (d).
- 9) The permittee must demonstrate continuous compliance in accordance with §63.5895. See specific recordkeeping requirements section of the permit for more details.
- 10) Total annual inlet HAP emissions will be calculated as the sum of inlet HAP emissions during periods that the RTO is operating plus inlet HAP emissions during periods when the RTO was not operating. In general, inlet HAP emissions will be calculated using the following equation:

$$\text{Inlet} = (\text{Usage by formulation}) \times (\text{HAP content of formulation}) \times (\text{HAP emission factor})$$

To calculate the total outlet HAP emissions, Crane Composites will use the following equations:

$$\text{Outlet} = (\text{Inlet}_{\text{with RTO}}) \times (1 - \text{RTO tested destruction efficiency}) + (\text{Inlet}_{\text{without RTO}})$$

Crane Composites will use the "Compliant line option" (40 CFR §63.5820(a)) equation below (40 CFR §63.5885(a)) to calculate percent reduction.

$$PR = \frac{(\text{Inlet}) - (\text{Outlet})}{(\text{Inlet})} \times 100$$

where:

PR = percent reduction;

Inlet = HAP emissions entering the control device, pounds per year;

Outlet = HAP emissions existing the control device to the atmosphere, pounds per year.

3. Testing Requirements:

For EPI only:

- a) Pursuant to 40 CFR Subpart § 63.5840 and § 63.5850 (a)-(h), the permittee must conduct performance tests, performance evaluations, design evaluations, capture efficiency testing, and other initial compliance demonstrations by the compliance date specified in Table 2 to subpart 40 CFR Part 63, Subpart WWWW
- b) The permittee must conduct subsequent performance test as required in section § 63.5845.
- c) The permittee shall use the data collected during the performance test to calculate and record the average combustion temperature. This average combustion temperature is the minimum operating set point of the thermal oxidizer.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (Continued)**3. Specific Monitoring Requirements*****For EP1 only:***

- a) The permittee must monitor and operate all add-on control devices according to the procedures in 40 CFR part 63, subpart SS pursuant to 40 CFR subpart WWW section § 63.5855.
- b) The permittee must monitor the temperature in the firebox of the thermal oxidizer or immediately downstream of the firebox before any substantial heat exchange occurs. Monitoring and recording the combustion temperature continuously shall demonstrate compliance*.
*Continuous parameter monitoring shall be a minimum of recording the measured value at least once every 15 minutes.
- c) Perform an electronic calibration at least semi-annually. Following the calibration, conduct a temperature sensor validation check in which a second or redundant temperature sensor placed nearby the process temperature sensor must yield a reading within 30 degrees Fahrenheit of the process temperature sensor reading.
- d) Conduct calibration and validation checks any time the sensor exceeds the manufacturer's specified maximum operating temperature range or install a new temperature sensor.
- e) At least monthly, inspect components for integrity and electrical connections for continuity, oxidation, and galvanic corrosion.
- f) Maintain the record of the following:
 - 1) The amount of neat resin plus applied and the amount of neat gel coat plus applied;
 - 2) The total annual inlet organic HAP emissions and total annual outlet organic HAP emissions;
 - 3) The destruction efficiency of the RTO; and
 - 4) The date and hour(s) of any periods when the line(s) were operating but the RTO was not in operation.

For EP2 (Polymerization Room) only:

- g) For EP2 (Polymerization Room), the permittee shall monitor the daily maximum weight and contents of waste liquid in the drums.

5. Specific Recordkeeping Requirements:***For EP1 only:***

- a) The permittee must maintain the records specified in sections § 63.5915 (a), (b), (d) and (e) and § 63.5920(a), (b), (c) and (d) of subpart WWW.
- b) The permittee must collect and keep data as required in section § 63.5895 (a) and (b) of subpart WWW.

For EP2 (Polymerization Room) only:

- c) For EP2 (Polymerization Room), the permittee shall maintain the daily record of the maximum weight and contents of waste liquid in the drums.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (Continued)**6. Specific Reporting Requirements:**

- a) The permittee shall identify, record, and submit a written report to the Division's Frankfort Regional Office of each instance during which the average temperature of the thermal oxidizer falls more than 28 degrees Celsius (50 degrees Fahrenheit) below that at which compliance was demonstrated during the most recent measurement of oxidizer efficiency. If no such periods occur during a particular quarter, the permittee shall state this in a semi-annual report.
- b) Pursuant to 40 CFR Subpart WWW section § 63.5905:
 - 1) Crane Composites will submit the following notifications from Table 13 to this subpart:
 - An initial notification, submitted no later than 120 days after the effective date of the standard in subpart A section §63.9(b)(2).
 - A notification of intent to conduct a performance test, submitted in writing 60 calendar days prior to the scheduled date of the test (subpart A (§ 63.9)(e)).
 - A notification of the date for the continuous monitoring system (CMS) performance evaluation, submitted with the notification of intent to conduct a performance test (subpart A (§ 63.9)(g)).
 - A notification of compliance status, submitted no later than 60 calendar days after the completion of the control device performance test and CMS performance evaluation (subpart A (§ 63.9)(h)).
 - 2) If there are any changes in the information submitted in any notification, the permittee must submit the changes in writing within 15 calendar days after the change.
- c) Pursuant to 40 CFR 63 Subpart § 63.5910, Crane Composites must submit compliance reports for the period April 21, 2006 through June 30 and then for each subsequent semi-annual reporting period from January 1 through June 30 and July 1 through December 31 and comply with paragraphs (a) through (i) of this section.
- d) The compliance report must contain the information in paragraphs (c)(1) through (6) of subpart WWW section § 63.5910:
 - 1) Company name and address.
 - 2) Statement by a responsible official with that official's name, title, and signature, certifying the truth, accuracy, and completeness of the content of the report.
 - 3) Date of the report and beginning and ending dates of the reporting period.
 - 4) If you had a startup, shutdown, or malfunction during the reporting period and you took actions consistent with your startup, shutdown, and malfunction plan, the compliance report must include the information in subpart A section §63.10(d)(5)(i).
 - 5) If there are no deviations from any organic HAP emissions limitations (emissions limit and operating limit) that apply to you, and there are no deviations from the requirements for work practice standards in Table 4 to this subpart, a statement that there were no deviations from the organic HAP emissions limitations or work practice standards during the reporting period.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (Continued)

6) If there were no periods during which the continuous monitoring system (CMS), including a continuous emissions monitoring system (CEMS) and an operating parameter monitoring system were out of control, as specified in subpart A section §63.8(c)(7), a statement that there were no periods during which the CMS was out of control during the reporting period.

SECTION C - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:020, Section 6. While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

	<u>Description</u>	<u>Generally Applicable Regulation</u>
1.	Monomer storage tank	None
2.	Domestic space heaters	None
3.	Machinery lubricants	None
4.	Metal machining solvent use	None
5.	Mixing Tank (Vent)	None
6.	Filler Silo (Vent)	401 KAR 59:010
7.	L02 & L03-Trim Saw	401 KAR 59:010
8.	L03-Cut-off Saw	401 KAR 59:010

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. As required by Section 1b of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26; compliance with annual emissions and processing limitations contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.
2. VOC and particulate emissions, as measured by methods referenced in 401 KAR 50:015, Section 1, shall not exceed the respective limitations specified herein.

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

1. Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS

1. Pursuant to Section 1b (IV)1 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
 - a. Date, place as defined in this permit, and time of sampling or measurements;
 - b. Analyses performance dates;
 - c. Company or entity that performed analyses;
 - d. Analytical techniques or methods used;
 - e. Analyses results; and
 - f. Operating conditions during time of sampling or measurement.
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality [Sections 1b(IV) 2 and 1a(8) of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
3. In accordance with the requirements of 401 KAR 52:020 Section 3(1)h the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
 - a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
 - b. To access and copy any records required by the permit;
 - c. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.
5. Summary reports of any monitoring required by this permit, other than continuous emission or opacity monitors, shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation [Section 1b (V) 1 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

6. The semi-annual reports are due by January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to 401 KAR 52:020 Section 23. If continuous emission and opacity monitors are required by regulation or this permit, data shall be reported in accordance with the requirements of 401 KAR 59:005, General Provisions, Section 3(3). All deviations from permit requirements shall be clearly identified in the reports.
7. In accordance with the provisions of 401 KAR 50:055, Section 1 the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
 - a. When emissions during any planned shutdowns and ensuing startups will exceed the standards notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
 - b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other electronic media) and shall submit written notice upon request.
8. The owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Section F.7. above) to the Regional Office listed on the front of this permit within *30 days*. Other deviations from permit requirements shall *be included in the semiannual report required by Section F.6* [Section 1b (V) 3, 4. of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
9. Pursuant to 401 KAR 52:020, Permits, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit, by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the regional office) to the Regional Office listed on the front of this permit and the U.S. EPA in accordance with the following requirements:
 - a. Identification of the term or condition;
 - b. Compliance status of each term or condition of the permit;
 - c. Whether compliance was continuous or intermittent;
 - d. The method used for determining the compliance status for the source, currently and over the reporting period.
 - e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

- f. The certification shall be postmarked by January 30th of each year. Annual compliance certifications should be mailed to the following addresses:

Division for Air Quality
Florence Regional Office
8020 Veterans Memorial Drive, Suite 110
Florence, KY 41042

U.S. EPA Region IV
Air Enforcement Branch
Atlanta Federal Center
61 Forsyth St.
Atlanta, GA 30303-8960

Division for Air Quality
Central Files
803 Schenkel Lane
Frankfort, KY 40601

10. In accordance with 401 KAR 52:020, Section 22, the permittee shall provide the Division with all information necessary to determine its subject emissions within thirty (30) days of the date the KYEIS emission survey is mailed to the permittee.

SECTION G - GENERAL PROVISIONS**(a) General Compliance Requirements**

1. The permittee shall comply with all conditions of this permit. Noncompliance shall be a violation of 401 KAR 52:020 Section 3(1)(b) and a violation of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act). Noncompliance with this permit is grounds for enforcement action including but not limited to termination, revocation and reissuance, revision or denial of a permit [Section 1a-3 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020 Section 26].
2. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition [Section 1a, 6 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
3. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:020, Section 19. The permit will be reopened for cause and revised accordingly under the following circumstances:
 - a. If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:020, Section 12;
 - b. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
 - c. The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit;
 - d. New requirements become applicable to a source subject to the Acid Rain Program.

Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the Division may provide a shorter time period in the case of an emergency.

4. The permittee shall furnish information upon request of the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or compliance with the conditions of this permit [Section 1a, 7,8 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

SECTION G - GENERAL PROVISIONS (CONTINUED)

5. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such facts or corrected information to the permitting authority [401 KAR 52:020, Section 7(1)].
6. Any condition or portion of this permit, which becomes suspended or is, ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit [Section 1a, 14 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
7. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Section 1a, 4 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
8. Except for requirements identified in this permit as state-origin requirements, all terms and conditions shall be enforceable by the United States Environmental Protection Agency and citizens of the United States [Section 1a, 15 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
9. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038, Section 3(6) [Section 1a, 10 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
10. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance [401 KAR 52:020, Section 11(3)(b)].
11. This permit does not convey property rights or exclusive privileges [Section 1a, 9 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
12. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Environmental and Public Protection or any other federal, state, or local agency.
13. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry [401 KAR 52:020, Section 11(3)(d)].
14. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders [401 KAR 52:020, Section 11(3)(a)].
15. This permit consolidates the authority of any previously issued PSD, NSR, or Synthetic Minor source preconstruction permit terms and conditions for various emission units and

SECTION G - GENERAL PROVISIONS (CONTINUED)

incorporates all requirements of those existing permits into one single permit for this source.

16. Pursuant to 401 KAR 52:020, Section 11, a permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of issuance. Compliance with the conditions of a permit shall be considered compliance with:
 - a. Applicable requirements that are included and specifically identified in the permit and
 - b. Non-applicable requirements expressly identified in this permit.
17. Pursuant to 401 KAR 50:045, Section 2, a source required to conduct a performance test shall submit a completed Compliance Test Protocol form, DEP form 6028, or a test protocol a source has developed for submission to other regulatory agencies, in a format approved by the cabinet, to the Division's Frankfort Central Office a minimum of sixty (60) days prior to the scheduled test date. Pursuant to 401 KAR 50:045, Section 7, the Division shall be notified of the actual test date at least Thirty (30) days prior to the test.

(b) Permit Expiration and Reapplication Requirements

1. This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division [401 KAR 52:020, Section 12].
2. The authority to operate granted shall cease to apply if the source fails to submit additional information requested by the Division after the completeness determination has been made on any application, by whatever deadline the Division sets [401 KAR 52:020 Section 8(2)].

(c) Permit Revisions

1. A minor permit revision procedure may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of 401 KAR 52:020, Section 14(2).
2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

(d) Construction, Start-Up, and Initial Compliance Demonstration Requirements

SECTION G - GENERAL PROVISIONS (CONTINUED)

None

(e) Acid Rain Program Requirements

1. If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

(f) Emergency Provisions

1. Pursuant to 401 KAR 52:020 Section 24(1), an emergency shall constitute an affirmative defense to an action brought for the noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or relevant evidence that:
 - a. An emergency occurred and the permittee can identify the cause of the emergency;
 - b. The permitted facility was at the time being properly operated;
 - c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and
 - d. Pursuant to 401 KAR 52:020, 401 KAR 50:055, and KRS 224.01-400, the permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division when emission limitations were exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.
 - e. This requirement does not relieve the source of other local, state or federal notification requirements.
2. Emergency conditions listed in General Condition (f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:020, Section 24(3)].
3. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof [401 KAR 52:020, Section 24(2)].

(g) Risk Management Provisions

1. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:
RMP Reporting Center
P.O. Box 3346
Merrifield, VA, 22116-3346
2. If requested, submit additional relevant information to the Division or the U.S. EPA.

SECTION G - GENERAL PROVISIONS (CONTINUED)

(h) Ozone depleting substances

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
 - a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
 - b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
 - c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
 - d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166
 - e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
 - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

SECTION H - ALTERNATE OPERATING SCENARIOS

None.

SECTION I - COMPLIANCE SCHEDULE

None.